IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.66676-M of 2006

DATE OF DECISION: DECEMBER 12, 2006

Bharat Bhushan and others

...PETITIONERS

VERSUS

Vijay Kumar

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.R.K.Girdhar, Advocate,
for the petitioners.
Mr.A.K.Khunger, Advocate,
for the respondent.

...

The petitioners apprehending their arrest in a non-bailable offence in pursuance of the summoning order dated 18.5.2006 passed by the SDJM, Malout in complaint case titled "Vijay Kumar Versus Bharat Bhushan and others", under Sections 465/466/467/468/471/120-B IPC, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that petitioners No.1 to 3 are the landlords of the respondent, petitioner No.4 is their father and petitioner No.5 is the attesting witness of the alleged rent note. Counsel further contends that as per the complaint filed by the respondent, petitioners No.1 to 3 in connivance with petitioners No.4 and 5 have forged the rent note. He also contends that though the Rent Controller and the Appellate Authority, in an ejectment application filed by the landlords, have held the said document as suspicious document, but no finding has been recorded to the effect that the same is a forged document. Counsel further contends that in terms of the interim order dated October 30, 2006, the petitioners had appeared before the trial Court and furnished their regular bail bonds which have been accepted and attested by the trial Court. A

certified copy of the order dated 7.11.2006 passed by the trial Court has been placed on the record. Counsel contends that since then, the petitioners are regularly appearing. This fact has not been disputed by the State counsel.

In view of the above, the interim order dated October 30, 2006 is made absolute.

Disposed of accordingly.

December 12, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE